

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 23-cr-205 (KMM/LIB)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	GOVERNMENT’S MOTION FOR
v.)	UPWARD DEPARTURE AND
)	VARIANCE
MARK ALLEN ISHAM)	
)	
Defendant.)	

The United States of America, by its undersigned attorneys, respectfully moves this Court for an upward departure under the following provisions: (1) U.S.S.G. § 4A1.3(a)(1) (criminal history category substantially underrepresents the likelihood that the defendant will commit other crimes); (2) U.S.S.G. § 5K2.8 (extreme conduct); (3) U.S.S.G. § 5K2.4 (abduction or unlawful restraint); and (4) U.S.S.G. § 5K2.21 (dismissed and uncharged conduct).

Furthermore, the United States seeks an upward variance under the § 3553(a) factors, based on the need for the sentence to reflect the seriousness of the offense, to promote respect for the law, to provide just punishment for the offense, and to protect the public from further crimes of the defendant. The government will seeking the statutory maximum sentence of 120 months.

Dated: October 18, 2024

Respectfully Submitted,

ANDREW M. LUGER
United States Attorney

s/ Carla J. Baumel

BY: CARLA J. BAUMEL
BY: NICHOLE J. CARTER
Assistant U.S. Attorneys